

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**FOURTEEN ANCIENT EGYPTIAN
ARTIFACTS SEIZED BY U.S.
CUSTOMS AND BORDER
PROTECTION,**

Defendants *In Rem*.

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CIVIL NO. RDB-24-02727

**MOTION FOR ENTRY OF DEFAULT JUDGMENT AND
FINAL ORDER OF FORFEITURE**

The United States of America, by and through its undersigned counsel, moves pursuant to Federal Rule of Civil Procedure 55(b) for entry of a Default Judgment in Plaintiff's favor and a Final Order of Forfeiture against the above-named defendant property:

- a. Old Kingdom Limestone Funerary Statute of Seated Elite, seized on or about August 24, 2020 at Anchorage, Alaska (Asset ID No.: 20-CBP-000968);
- b. Ancient Egyptian Faience Amulet of the Goddess Hatmehyt from Egypt's Late Period (664-332 BCE), seized on or about September 29, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000969);
- c. Egyptian wooden canopic jar cover from the New Kingdom Period, 19th Dynasty or later 1300 BCE, seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000970);

- d. Cypriot Spindle Ware Vessel (New Kingdom Period 1549 to 1075 BCE), seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000971);
- e. Painted limestone Shabti from ancient Egypt's New Kingdom period (1549 to 1075 BCE), seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000972);
- f. Painted limestone phallic figurine from ancient Egypt's Late Period to Ptolemaic Period (664-30 BCE), seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000945);
- g. Painted limestone Egyptian Shabti from ancient Egypt's New Kingdom period (1549 to 1075 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000946);
- h. Egyptian Calcite/Alabaster Shabti (1190-1075 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000947);
- i. Painted limestone Egyptian Bed Figurine (New Kingdom Period 1549-1075 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000948);
- j. Egyptian Glazed Phallic Figurine from Egypt's Late Period to Ptolemaic Period (664-30 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000949);
- k. Faience Shabti Figurine (Late Period to Ptolemaic Period 664-30 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000950);

- l. Pre-Dynastic Vase (3500-3200 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000951);
- m. Egyptian limestone lug-handled jar, Early Dynastic Period, c. 3000-2600 BCE, seized on or about April 7, 2021 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000952); and
- n. Egyptian painted wooden Ushabti box, Third Intermediate Period to Late Period, c. 1075-332 BCE (Asset ID No.: 21-CBP-000953)

(collectively, the “Defendant Property”) on the grounds set forth in the Verified Complaint for Forfeiture *In Rem* (the “Complaint,” ECF No. 1). In support of its motion, the United States submits the following:

1. On September 23, 2024, the United States commenced this action by filing a Verified Complaint for Forfeiture *In Rem* pursuant to Rule G(2) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (the “Supplemental Rules”), alleging that the Defendant Property is subject to forfeiture to the United States pursuant to 18 U.S.C. § 545 and/or 19 U.S.C. § 1595a(c). ECF No. 1 (the “Complaint”). Consistent with the requirements of Supplemental Rule G(2)(a), the Complaint was properly verified by Homeland Security Investigations (“HSI”) Special Agent Aaron Klein. *Id.*

2. The Defendant Property consists of:
 - a. Old Kingdom Limestone Funerary Statute of Seated Elite, seized on or about August 24, 2020 at Anchorage, Alaska (Asset ID No.: 20-CBP-000968);
 - b. Ancient Egyptian Faience Amulet of the Goddess Hatmehyt from Egypt’s Late Period (664-332 BCE), seized on or about September 29, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000969);

- c. Egyptian wooden canopic jar cover from the New Kingdom Period, 19th Dynasty or later 1300 BCE, seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000970);
- d. Cypriot Spindle Ware Vessel (New Kingdom Period 1549 to 1075 BCE), seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000971);
- e. Painted limestone Shabti from ancient Egypt's New Kingdom period (1549 to 1075 BCE), seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 20-CBP-000972);
- f. Painted limestone phallic figurine from ancient Egypt's Late Period to Ptolemaic Period (664-30 BCE), seized on or about November 17, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000945);
- g. Painted limestone Egyptian Shabti from ancient Egypt's New Kingdom period (1549 to 1075 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000946);
- h. Egyptian Calcite/Alabaster Shabti (1190-1075 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000947);
- i. Painted limestone Egyptian Bed Figurine (New Kingdom Period 1549-1075 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000948);
- j. Egyptian Glazed Phallic Figurine from Egypt's Late Period to Ptolemaic Period (664-30 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000949);

- k. Faience Shabti Figurine (Late Period to Ptolemaic Period 664-30 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000950);
- l. Pre-Dynastic Vase (3500-3200 BCE), seized on or about November 18, 2020 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000951);
- m. Egyptian limestone lug-handled jar, Early Dynastic Period, c. 3000-2600 BCE, seized on or about April 7, 2021 at John F. Kennedy Airport in New York (Asset ID No.: 21-CBP-000952); and
- n. Egyptian painted wooden Ushabti box, Third Intermediate Period to Late Period, c. 1075-332 BCE (Asset ID No.: 21-CBP-000953).

The Complaint alleges that the Defendant Property are “[m]erchandise introduced into the United States in violation of [Title 18, United States Code, Section 545],” and therefore are subject to forfeiture pursuant to 18 U.S.C. § 545. *Id.* In addition, the Complaint alleges that the Defendant Property are “merchandise which is introduced or attempted to be introduced into the United States contrary to law” and therefore are subject to forfeiture pursuant to 19 U.S.C. § 1595a(c). *Id.*

3. On September 24, 2024, this Court issued an arrest warrant *in rem* against the Defendant Property. ECF No. 2. On October 7, 2024, the United States provided process receipt and returns indicating that the Defendant Property was seized, that warrants for arrest *in rem* were served on the Defendant Property, and that the Defendant Property is in federal custody. ECF No. 5.

4. The Complaint, which incorporates the attached Declaration of Special Agent Aaron Klein, complies in all respects with the pleading requirements in Rule G(2) of the

Supplemental Rules in that it: (a) is verified; (b) states the grounds for subject matter jurisdiction, *in rem* jurisdiction over the Defendant Property, and venue; (c) describes the Defendant Property with reasonable particularity; (d) states the location where the Defendant Property was seized; (e) identifies the statutes under which the forfeiture action is brought; and (f) states sufficiently detailed facts to support a reasonable belief that the United States would be able to meet its burden of proof at trial.

5. Pursuant to Supplemental Rule G(4)(b), the United States gave direct notice of this action to the six known potential claimants: 1) Asia Pacific (HK) Ltd., 2) Mr. Nazieh Barakat, 3) Ms. Sylvia Ivette Barrera (c/o Clarissa Thompson), 4) Mr. Mark Kenneth Ragan, 5) the Managing Director of Century Arts Co. Ltd., and 6) the Managing Director of KUNZITE GEMS Co. Ltd. (formerly FADA Trading Co. Ltd.), informing them of the forfeiture action and including copies of the Notice of Complaint for Forfeiture (“Notice”) and the Complaint. The Notice contained detailed instructions advising potential claimants of the procedures required under Supplemental Rule G to file proper claims and answers. The Notice advised that verified claims needed to be filed within thirty-five (35) days of the date of the mailing of the Notice. The Notice also identified the contents of a verified claim required under Supplemental Rule G(5)(a), and it advised potential claimants of the need to file an answer or motion under Federal Rule of Civil Procedure 12 within twenty-one (21) days after the filing of the verified claim. The United States provided direct notice as set forth below. A true and correct copy of the direct notices as sent via certified mail to the known potential claimants is attached hereto as Exhibit A.

6. On September 23, 2024, the United States sent a copy of the Notice and Complaint via FedEx to Asia Pacific (HK) Ltd. at 36 Nathan Road, Block D, D3, 9/F1, Chungking Mention T.S.T Hong Kong. *See* Ex. A, pp. 1-3. The FedEx package was delivered to the Nathan Road

address on September 26, 2024. *See* Ex. A, pp. 4-7. On September 23, 2024, the United States sent a copy of the Notice and Complaint via certified mail and first-class mail to Mr. Nazieh Barakat at 393 Eaglewood Drive, Hamilton, Ontario, L8W 2S8, Canada. *See* Ex. A, pp. 8-10. The certified mail was delivered to the Eaglewood Drive address on September 24, 2024. *See* Ex. A, pp. 11-14. On September 23, 2024, the United States sent a copy of the Notice and Complaint via certified mail and first-class mail to Ms. Sylvia Ivette Barrera, by way of her relative Clarissa Thompson, who the government learned Ms. Barrera might be living with, at 24922 White Creek, San Antonio, Texas, 78255. The certified mail letter was not successfully delivered. On October 10, 2024, the United States then sent notice, via certified and first-class mail, to the only other address the government had on file for Ms. Barrera – 950 E. Bitters Road, Apt. 907, San Antonio, Texas 78216. While the certified mail was not successfully delivered to this address either, the first-class mail was not returned. *See* Ex. A, pp. 15-25. On September 23, 2024, the United States sent a copy of the Notice and Complaint via certified mail and first-class mail to Mr. Mark Kenneth Ragan, at 319 Arbutus Drive, Edgewater, Maryland, 21037-3032. *See* Ex. A, pp. 26-28. The certified mail was delivered on September 26, 2024. *See* Ex. A, pp. 29-30. On April 1, 2025, the United States sent a copy of the Notice and Complaint via the Thai Police, according to the terms of a mutual legal assistance treaty between Thailand and the United States, to the Managing Director of Century Arts Co. Ltd., at 1336 Charoen Krung Road, Suriyawong Sub-district, Bang Rak District, Bangkok 10500, Thailand. *See* Ex. A, pp. 34-36. The mail was delivered on April 2, 2025. *See* Ex. A, pp. 45. On April 29, 2025, the United States sent a copy of the Notice and Complaint via the Thai Police, according to the terms of a mutual legal assistance treaty between Thailand and the United States, to the to the Managing Director of KUNZITE GEMS Co. Ltd., formerly FADA Trading Co. Ltd., at 919/1 Jewelry Trade Center Building, Booth No. JBD, 049

Silom Road, Silom Sub-district, Bang Rak District, Bangkok 10500, Thailand. *See* Ex. A, pp. 31-33. The mail was delivered on May 6, 2025. *See* Ex. A, pp. 44.

7. The Supplemental Rules also require that notice be given by publication. Pursuant to Supplemental Rule G(4)(a)(iv)(C), the United States may provide notice by publication by posting a notice on an official government internet site for at least 30 consecutive days. Beginning on October 1, 2024, the United States provided constructive notice to potential claimants of the pendency of this case by posting notice on an official government internet site (www.forfeiture.gov) for 30 consecutive days pursuant to Supplemental Rule G(4)(a)(iv)(C). A true and correct copy of the proof of publication is attached hereto as Exhibit B.

8. Pursuant to Supplemental Rule G(5)(a), any claimant to the Defendant Property was required to file a claim no later than 35 days after the direct written notice was sent, or 60 days after the first publication of notice on the official Government website. Those time periods expired on October 28, 2024 (for direct notice to Mr. Nazieh Barakat and Mr. Mark Kenneth Ragan), October 29, 2024 (for direct notice to Asia Pacific (HK) Ltd.), November 5, 2024 (for direct notice to Ms. Sylvia Ivette Barrera), November 30, 2024 (for publication notice), May 6, 2025 (for direct notice to the Managing Director of Century Arts Co. Ltd.), and June 3, 2025 (for direct notice to the Managing Director of KUNZITE GEMS Co. Ltd.). No extensions to these deadlines have been requested, consented to, or granted by this Court.

9. No person or entity has filed either a claim to the Defendant Property or has otherwise appeared to contest the forfeiture of the Defendant Property, and the time to do so has expired.

10. Upon information and belief, no person or entity thought to have an interest in the Defendant Property is an infant, incompetent, or presently engaged in military service.

11. On September 3, 2025, the Clerk of the Court entered a Clerk's Entry of Default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. ECF No. 8.

12. Accordingly, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, the United States is entitled to the entry of a default judgment. Moreover, to ensure that the United States has clear title to the Defendant Property, the United States now requests the entry of a Final Order of Forfeiture.

WHEREFORE, the United States requests the entry of the Default Judgment and Final Order of Forfeiture submitted herewith, transferring title of the Defendant Property to the United States and directing the Attorney General to dispose of the Defendant Property according to law.

Respectfully submitted,

Kelly O. Hayes
United States Attorney

/s/ _____
Steven T. Brantley
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request for Default was filed via CM/ECF and served electronically on all parties by that system. I also caused a copy to be sent to the following potential claimants via certified mail, FedEx, or under the terms and conditions of a mutual legal assistance treaty:

Asia Pacific (HK) Ltd.
36 Nathan Road, Block D, D3, 9/F1,
Chungking Mention T.S.T Hong Kong

Mr. Nazieh Barakat
393 Eaglewood Drive
Hamilton, Ontario
L8W 2S8, Canada

Ms. Sylvia Ivette Barrera, c/o Clarissa Thompson
950 E. Bitters Road
Apt. 907
San Antonio, Texas 78216

Mr. Mark Kenneth Ragan
319 Arbutus Drive
Edgewater, Maryland, 21037-3032

Managing Director of Century Arts Co. Ltd.,
1336 Charoen Krung Road
Suriyawong Sub-district, Bang Rak District
Bangkok 10500, Thailand

Managing Director of KUNZITE GEMS Co. Ltd.
919/1 Jewelry Trade Center Building, Booth No. JBD
049 Silom Road
Silom Sub-district, Bang Rak District
Bangkok 10500, Thailand

/s/
Steven Brantley
Assistant United States Attorney